

EXHIBIT 2

DATE 1/30/13

HB 295

ORIGINAL OFFER OF COMPENSATION FOR TAKING AND DAMAGING IN CONDEMNATION CASES AND
INCREASES SECURED
MCGARVEY, HEBERLING, SULLIVAN & MCGARVEY

Case Name *	Original Offer for Land	Award for Land**	Percent Increase	Manner of Settlement
Bomar (Hwy 2 Cut Bank)	91,820.00	181,471.00	100.00%	Negotiation
Busby (Route 40)	1,600.00	6,000.00	375.00%	Hearing
Feenan ((US Hwy 2)	16,900.00	36,500.00	215.98%	Negotiation after Supreme Court Opinion
Fleming (Hwy 93 S)	27,000.00	79,060.00	292.00%	Negotiation after Commission Award
Ford (Hwy 93 S)	24,800.00	59,500.00	239.91%	Negotiation
Hog Heaven (US 93 S)	22,000.00	55,000.00	250.00%	Jury Trial
Johnson (Hwy 93 S)	30,000.00	47,500.00	156.00%	Negotiation
Lee (Hwy 93 S)	13,050.00	33,000.00	229.88%	Negotiation
Lewis (Route 40)	1,950.00	7,050.00	361.54%	Negotiation
Lundgren (Coram)	51,675.00	170,000.00	328.98%	Negotiation
Lybeck (LaSalle)	6,950.00	28,516.00	410.30%	Jury Trial

McFadden (Route 40)	1,100.00	18,700.00	1700.00%	Hearing
McGuckin (Coram)	69,800.00	227,300.00	325.64%	Negotiation after Commission Award
Neu (US Hwy 2)	1,450.00	21,000.00	1448.28%	Hearing
Nugent (US Highway 2)	33,400.00	82,000.00	245.51%	Negotiation
OKO (City of Eureka/ MDOT)	33,650.00	91,400.00	271.62%	Negotiation after Commission Award
ONeal (Route 40)	800.00	6,000.00	750.00%	Negotiation after Commission Award
Peebler (US Highway 2)	4,600.00	15,000.00	326.09%	Negotiation after Commission Award
Pitts (Hwy 200 Dixon)	16,000.00	56,516.00	353.22%	Negotiation
Poirier (Route 40)	1,000.00	2,000.00	200.00%	Negotiation
Seymour (MT Hwy. 35)	3,100.00	12,600.00	406.45%	Negotiation after Commission Award
Shelden (Route 40)	1,650.00	22,334.50	1353.61%	Negotiation
Shortell (Route 40)	1,750.00	6,300.00	360.00%	Negotiation
Siderius (Hwy 93 S)	90,400.00	296,000.00	327.43%	Negotiation

Slack (US Highway 2)	45,150.00	168,069.00	372.25%	Negotiation after Supreme Court Opinion
Storli (Shelter Valley)	48,180.00	120,000.00	249.06%	Negotiation
Treweek (Hwy 93 S)	19,000.00	219,067.21	1152.00%	Negotiation
TOTALS	\$ 658,775.00	\$ 2,067,883.71		

Total original offer divided by award for land: \$658,775 DIVIDED BY \$2,067,883.71= 0.31%

PERCENTAGE OF JUST
COMPENSATION
INITIALLY OFFERED BY THE STATE
0.31%

* NOTE: All of the above cases were completed between 1982 and the present date.

** NOTE: Just compensation under Article II, 29 of the Montana Constitution includes interest and litigation expenses.

Burtch/ Wheels of Fun
(US 93 S Polson)

Samuel Wolfe
(Montana Power
Company v.) 169 Mont
234 & 545 P2d 674
(Ravalli County)

570,000.00

988,000.00 includes
litigation expenses

Mediation

We cannot conclude that
the sales introduced as a
basis for Defendants
expert amounted to
abuse of discretion by
the District Court.
These recent sales
involve tracts of similar
sizes and did shed some
light on the value of
Defendants land for
residential development.

4,100.00

39,344.22

Jury Trial

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PAST RESULTS AFFORD NO GUARANTEE OF FUTURE RESULTS. EVERY CASE IS DIFFERENT AND MUST BE JUDGED
ON ITS OWN MERIT. The client in each case was responsible for costs and expenses initially but because the landowner prevailed in
each case, he obtained not only the increased award of just compensation but also 90% of the money that he had expended in proving
his just compensation.